

WIRELESS COMMUNICATIONS FACILITIES. [ORD 4248; May 2003]**60.70.05. Purpose.**

1. The purpose of these regulations is to ensure that Wireless Communications Facilities (WCF) are regulated in a manner that:
 - A. Conforms to the current federal, state, local laws and with FCC Declaratory Rulings to date. [ORD 4596; February 2013]
 - B. Promotes universal communication service to all City residents, businesses and visitors.
 - C. Establishes clear and objective standards for the placement, design and continuing maintenance of WCF.
 - D. Minimizes the adverse visual, aesthetic and structural safety impacts of WCF on residential neighborhoods and on the community as a whole.
 - E. Encourages the design of WCF to be as aesthetically and architecturally compatible as possible with the surrounding natural and built environments.
 - F. Encourages collocation of WCF on existing support structures to minimize the number of new facilities required.
 - G. Ensures that regulations do not constitute a barrier to entry and apply to providers on a competitively neutral basis.

60.70.10. Applicability.

1. The regulations contained within this section shall apply to the construction or installation or modification of Wireless Communication Facilities (WCF) within the municipal limits of the City of Beaverton.

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2. Regulations contained in this section shall apply to wireless communication facilities used for essential public communication services conducted by police, fire, and other public safety or emergency networks.
3. Compliance with the regulations contained within this section shall be required in addition to any other applicable standards and regulations contained within the Code.

60.70.15. Federal and State Compliance.

1. In addition to compliance with the regulations in this section, the applicant shall be responsible for the identification of and compliance with all applicable federal and state regulations pertaining to WCF.
2. Permanent alterations to previously City reviewed and approved WCF resulting from the adoption of new or updated federal and/or state regulations shall be reviewed through the City's development review process prior to the making of such alterations, unless local review and approval is exempted by federal or state statute.

60.70.20. Exemptions.

1. All of the following are exempt from the regulations contained in this section of the Code:
 - A. Emergency or routine repairs, or maintenance of existing facilities and of transmitters, antennas or other components of existing facilities that do not increase the size, footprint, or bulk of such facilities, and which otherwise comply with City, state and federal regulations.
 - B. Federally-authorized industrial, scientific and medical equipment operating at frequencies designated for that purpose by the Federal Communications Commission (FCC) in Part 18 of Title 47 of the Code of Federal Regulations (CFR).

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- C. Amateur radio facility antennas, or a combination of antennas and support structures seventy (70) feet or less in height as measured from the base of the support structure consistent with ORS 221.295. This includes antennas attached to towers capable of telescoping or otherwise being extended by mechanical device to a height greater than 70 feet so long as the amateur radio facility is capable of being lowered to 70 feet or less. This exemption applies only to the Beaverton Development Code and does not apply to other applicable city, state, and federal regulations. Amateur radio facilities not meeting the requirements of this exemption are considered non-exempt, and must comply with Section 60.70.45.
- D. Military and civilian radar equipment, operating within the regulated frequency ranges, for the purpose of national, state or local defense or aircraft safety.
- E. Antennas and associated equipment completely located within the interior of an existing or proposed structure with no associated exterior equipment, the purpose of which is to enhance or facilitate communication functions within the structure or other structures on the site.
- F. Satellite antennas up to and including two (2) meters in diameter in Commercial, Industrial, and Multiple Use zoning districts. [ORD 4584; June 2012]
- G. Direct-to-home satellite service and satellite antennas up to and including one (1) meter in diameter located in Residential zoning districts. [ORD 4584; June 2012]
- H. AM or FM radio broadcast towers and equipment, or television broadcast towers and equipment, as regulated by the Federal Communications Commission (FCC).
- I. Antennas installed by a public agency for the purpose of emergency communications that are less the 30-inches in diameter affixed to existing structures with associated equipment completely located within the interior of an existing or proposed structure. [ORD 4397; August 2006]

60.70.25. Nonconforming Use Status for Existing Wireless Communication Facilities.

1. WCF and associated equipment and site improvements in existence as of May 8, 2003 that are nonconforming as to the use or development standards contained in this Code section shall be subject to the provisions of Chapter 30 (Nonconforming Uses) except:
 - A. A proposal to collocate new antennas on existing nonconforming structures shall comply with the standards of this Section.
 - B. Abandoned facilities shall not be considered nonconforming uses and shall comply with Section 60.70.65.
 - C. If the owner, operator or both propose a permanent alteration of an existing nonconforming WCF, the use, structure, or both shall lose its nonconforming status and shall comply with the provisions of this section. For the purposes of this Code, a permanent alteration shall consist of the removal of an existing tower support structure, except as modified by Section 60.70.25.1.D.-.E.
 - D. For purposes of collocation, or routine maintenance, the removal and replacement of existing transmitters, existing antennas, existing equipment shelters, and existing on-site improvements, including but not limited to, landscaping, fencing, paving, shall not be considered permanent alterations unless the removal and replacement of any or all of the above results in a substantial increase, as defined under Chapter 90 of this Code, existing on-site developed area beyond the previous land use approval. The expansion of previously approved existing on-site developed area shall result in the loss of nonconforming status and shall require compliance with the provisions of this Section. [ORD 4596; Feb 2103]
 - E. For satellite antennas not exempted by this Code, the removal and replacement of these stations shall not be considered a permanent alteration, provided that the diameter of the replacement satellite antennas shall be no more than fifty (50) percent greater or four (4) meters greater, whichever is less, of the existing diameter of the satellite antenna. The installation of replacement satellite antennas greater than fifty (50) percent or more than four (4) meters of the existing station diameter shall result in the loss of nonconforming status and shall require compliance with the provisions of this Section.

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- F. The addition of new WCF antennas, or equipment shelters, or on-site improvements shall not be considered permanent alterations to an existing nonconforming WCF, but shall be reviewed under applicable provisions of this Section.

60.70.30. Permit Process. Applicants shall refer to Chapter 20 (Land Uses) of this Code to determine whether a proposed WCF is a Permitted Use, a Conditional Use or a Prohibited Use within a specific underlying zoning district. The different permit types and associated thresholds are specified in Chapter 40 (Applications). The procedures for the review and approval of applications are contained in Chapter 50 (Procedures) of this Code.

60.70.35. Development Standards for WCF. Development standards applicable to all zoning districts. Except as noted in Section 60.70.35.18., the following development standards shall apply to all wireless communication facilities (WCF), excluding satellite antennas in all zoning districts. Refer to Section 60.70.40. for development standards for satellite antennas:

1. General.

- A. Lattice tower support structures are prohibited.
- B. Guyed tower support structures are prohibited.
- C. “Top hat” antenna arrays are prohibited.
- D. Collocation of new WCF antennas on existing lattice tower support structures, or guyed tower support structures is allowed.
- E. The attachment of WCF and associated equipment to any tree is prohibited.

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2. Height.

- A. The maximum height of any new WCF tower, WCF antenna collocation, or both shall conform to the maximum height standards specified in the site development requirements in Chapter 20 (Land Uses) for Residential, Commercial, Industrial, and Multiple Use zoning districts. [ORD 4584; June 2012]
- B. The height of any type of WCF shall include the support structure and any attached antennas. A lightning rod that is up to and including ten (10) feet tall and any required lighting by the Federal Aviation Administration (FAA) shall not be included within the calculation of the maximum height.

3. Lighting. The installation of light fixtures to a WCF tower is prohibited except for lighting required by the Federal Aviation Administration (FAA) or the Oregon Department of Aviation (ODA). A maximum of one (1) motion-sensitive or permanently shielded light fixture attached at or near the entrance door to the at-grade equipment shelter shall be allowed.

4. Signage.

- A. For new WCF towers and/or proposed collocation of WCF on existing towers one (1) non-illuminated sign having a maximum sign face of three (3) square feet and comprised of a white background with black lettering shall be provided and shall be permanently affixed to the entrance gate of the required fence. The sign shall identify the name of the WCF provider(s) and shall specify an emergency contact telephone number. For proposed collocation actions, the applicant for collocation shall be responsible for the production and installation of a required sign for the existing WCF service provider(s) if not already present at the site.
- B. No additional signage including logos and advertisements shall be allowed on any new or existing WCF towers, at grade equipment shelters or required fencing.

5. At-Grade Equipment Screening. All at-grade equipment shall be fully screened from the public view. Screening shall be accomplished by the following methods:

60.70.35.5.

- A. **Sight Obscuring Fencing.** A sight-obscuring fence that is a minimum of six (6) feet high shall prohibit public access to WCF towers, or shall screen all at grade equipment shelters, or both. Sight-obscuring fencing shall consist of chain link with slats, vinyl, wood, masonry, or brick.
- B. **Equipment Shelters.** All at-grade equipment shall be enclosed within equipment shelters constructed of wood, metal, or masonry. Building materials shall be stained or painted in a color that is consistent and compatible with surrounding development and then sealed for weather protection. Roofing and other architectural treatments proposed for the material shall also be consistent compatible with surrounding development
- C. **Screening Landscaping.** At-grade equipment shelters shall be screened with evergreen shrubs installed immediately outside of the required fencing on all sides. The portion of the fenced enclosure used as an access gate shall feature wooden slats or other sight-obscuring material in lieu of landscaping. Evergreen shrubs shall:
 - 1. Be planted with a minimum height of four (4) feet.
 - 2. Be spaced evenly apart to create adequate screening density, provided that the maximum spacing shall be thirty-six (36) inches on center.
 - 3. Be of a species that attains a minimum mature height of ten (10) feet.
 - 4. Be comprised of a minimum of three (3) varieties of evergreen shrub species.

[ORD 4596; February 2013]

- 6. **Evergreen Trees.** In addition to the at grade equipment screening landscaping requirements specified in Section 60.70.35.5.C, the decision-making authority may require the planting of evergreen trees when a new WCF tower is located on property within or immediately abutting Residential or Multiple Use zoning districts. When required, evergreen trees shall: [ORD 4584; June 2012]

60.70.35.6.

- A. Be placed immediately outside of a required fenced enclosure on all sides within or abutting the same planting area for the required evergreen shrubs.
- B. Be planted with a minimum height of ten (10) feet.
- C. Be planted a maximum of thirty (30) feet on center.

[ORD 4596; February 2013]

7. Required Plantings. Required landscaping shall be planted and maintained in a manner to achieve 100% survival rate within the first year of planting. All landscaped areas shall be:

- A. Irrigated by a sprinkler, drip irrigation system or hand watered throughout the landscape establishment period.
- B. Demonstrate a regular scheduled watering and maintenance program which will be provided throughout the landscape establishment period after the first year of planting through a signed maintenance agreement by the property owner or authorized individual.
- C. Maintained by regular weeding and pruning.
- D. Replaced if dead or dying.

[ORD 4596; February 2013]

8. Visual Impacts. The decision-making authority shall identify whether new WCF towers shall either be left in a non-reflective metal finish or shall be painted based on the characteristics of the surrounding terrain in which the parent parcel is located, unless required by the FAA to be painted in an alternating red-and-white striped pattern.

9. Noise. Noise-generating equipment shall be sound-buffered by means of baffling or structural barriers to reduce the sound level measured at the property line abutting Residential or Multiple Use zoning districts.
[ORD 4584; June 2012]

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10. **Stealth Design.** Specific WCF threshold in Chapter 40 of this Code provide for stealth design to be utilized. Chapter 90 of this Code defines stealth design. The purpose of stealth design is to minimize the visibility of wireless communications facilities by disguising, concealing, or camouflaging these facilities. Acceptable methods of stealth design include, but are not limited to:
 - A. Disguised as Other Structures or Elements of Physical Environment. WCF support structures, antennas and associated equipment that are disguised to look like another structure including but not limited to a flagpole or church cross or are made to appear part of the natural environment such as an evergreen tree. Disguised WCF facilities shall not contain any visible exterior attributes of a WCF support structure, antenna and associated equipment.
 - B. Concealed Roof-Mounted Antennas. WCF antenna array installed on a building roof shall be concealed from the ground level of abutting public streets and adjacent properties. Acceptable types of screening are placement behind the roof parapet, within or on the mechanical penthouse or on a roof-mounted building element such as a chimney, exhaust pipe, cupola, bell tower or flagpole.
 - C. Camouflaged Roof-Mounted Equipment Shelters. Roof-mounted equipment shelters shall be camouflaged from the ground level of abutting public streets and adjacent properties. Acceptable types of screening are placement within the interior of the building or the structure, behind the roof parapet, within a mechanical penthouse or completely within a roof-mounted element such as a chimney, exhaust pipe, cupola or bell tower.
11. **Allowable Height for Building-Roof-Mounted Antennas.** Antennas mounted on building roofs shall not extend beyond the maximum height for buildings of the underlying zoning district or in the case of existing buildings which are non-conforming in height, shall not extend beyond the existing height of the building. The antenna height shall be measured from the existing height of the building roofline. All roof-mounted antennas shall comply with the stealth design requirements of Section 60.70.35.10. [ORD 4596; Feb. 2013]

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12. **Building-Wall-Mounted Antennas.** Any WCF antennas mounted to the roof edge or sidewall elevation of a building shall be completely covered with the same exterior finish and painted the same color as the exterior of the building or structure.
13. **Structure-Mounted Antennas.** Any WCF antennas mounted to a structure that is not a building shall comply with the following standards:
 - A. Antennas shall not extend beyond the maximum height for structures of the underlying zoning district.
 - B. Antennas on existing tower structures or pole structures, other than those used for cellular phone service shall extend a maximum of ten (10) feet above the existing structure height as measured from its tallest point.
 - C. Antennas on water reservoir tanks shall extend a maximum of five (5) feet above the existing structure height as measured from its tallest point.
 - D. Antennas on structures shall be painted the same color as the structure. [ORD 4596; February 2013]
14. **Setbacks.** All new WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters shall comply with the setbacks established in the underlying zoning district. These standards shall also apply to WCF collocation proposals:
 - A. In all underlying zoning districts, building wall-mounted antennas and at-grade equipment shelters shall comply with all setbacks contained in the underlying zoning district. For the purposes of this Code, the setback shall be measured from the portion of the at-grade equipment shelter or building wall-mounted antennas that extend outward towards the property line to the greatest extent.

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- B. New WCF towers shall be set back from all property lines by a distance equal to the height of the tower plus five (5) additional lineal feet, except that the decision-making authority may authorize an Adjustment or Variance to this standard, if the applicant can demonstrate that such an Adjustment or Variance would reduce the visual impacts of the tower on adjacent property because of vegetation, topography, intervening buildings, or other site-specific factors. Adjustments and Variances shall be authorized through the Adjustment and Variance provisions specified in Chapter 40 (Applications).
 - C. New WCF towers located on commercially or industrially zoned property shall meet the setback of the underlying zone where the new WCF tower is more than the height of the tower plus five (5) feet from a Residential or Multiple Use zoning district. The decision-making authority may authorize an Adjustment or Variance to this standard, if the applicant can demonstrate that such an Adjustment or Variance would reduce the visual impacts of the tower on adjacent property because of vegetation, topography, intervening buildings, or other site-specific factors. Adjustments and Variances shall be authorized through the Adjustment and Variance provisions specified in Chapter 40 (Applications). [ORD 4659; June 2015]
- 15. Parking.** A minimum of one (1) readily accessible parking space shall be provided to serve new WCF towers or collocated WCF for the purpose of regular maintenance or emergency repairs. The decision-making authority may waive the minimum-parking requirement. Waivers may be authorized if the applicant can demonstrate that there is existing on-site parking, on-street parking, leased parking, or parking on separate adjacent property authorized for use by a written agreement.
- 16. Clustering of Towers.** Clustering of towers shall be prohibited in all Residential and Multiple Use zoning districts. Proposals for the clustering of towers in Commercial and Industrial zoning districts shall comply with all development standards of this Section, and other applicable sections of the Development Code.
- 17. Collocation Capacity.** New WCF towers and associated site area shall be designed to accommodate a minimum of one (1) additional future service. Collocation capacity shall be reserved through all of the following methods:

60.70.35.17.

- A. Construction of a tower of sufficient height to accommodate a minimum of two (2) antenna arrays; and,
- B. Installation of a foundation of adequate size and structural bearing capacity to accommodate a tower with a minimum of two (2) antenna arrays; and,
- C. Provision of a fenced enclosure of sufficient size to accommodate the equipment shelters for a minimum of two (2) antenna arrays.

18. Specific Development Standards in Multiple Use Zoning Districts. The following standards are specific to WCF on lots in Multiple Use zoning districts and are in addition to the other development standards specified in this section of the Code:

- A. Equipment for new WCF towers or new attached WCF or incorporated WCF shall either be placed underground, entirely within an existing building, on a screened rooftop, or entirely within a new above ground structure constructed solely for the purpose of housing this equipment. This enclosed building shall be architecturally treated to blend in with the surrounding built environment. Acceptable types of architectural treatments include but are not limited to painted metal roofs, faux windows, awnings, canopies, brick, or colored or textured masonry.
- B. Cables and other connection devices between equipment shelters and new WCF towers or new attached WCF or incorporated WCF shall be placed entirely underground, or shall be placed above-ground in a completely enclosed structure. If placed above-ground, the completely enclosed structure shall be compatible in scale, design, and materials to the above-ground equipment shelter, and the surrounding built environment.

60.70.35.18.

- C. For new WCF towers located on a lot that because of physical site constraints, tower related site design, or lease or ownership restrictions cannot be developed for any other Permitted Use while the tower is in operation, property perimeter structural bearing walls having a minimum height of ten (10) feet and composed of brick or colored and textured masonry or a combination of brick and colored and textured masonry shall be installed along all property lines for the portion of the lot being developed for WCF, abutting public streets. Required perimeter walls shall have architectural treatments including but not limited to faux windows, or awnings, covering a minimum of fifty (50) percent of each wall elevation; provided, the Director may determine a different type of perimeter treatment along property lines not abutting public streets for compatibility with the current uses of abutting properties.
- D. For new WCF towers located on property that could be developed for another use concurrent with the tower operation, the tower and, if applicable, above-ground equipment building shall be placed on the lot so as to not preclude future development of the remaining portion of the site and to allow for conformance to site design, parking and other applicable standards. Any lot area not proposed for WCF development that is disturbed by site development activity shall be landscaped. The decision-making authority shall determine the type of landscaping based on the existing landscaped nature of the lot and abutting lots.
- E. For WCF towers located on property occupied by an existing use, the tower and, if applicable, above grade equipment building, shall be located on the site so as to not preclude future redevelopment of the remaining portion of the site or future compliance with code requirements for a different use of the site. [ORD 4462; January 2008]

60.70.35.19.

19. **Specific Development Standards for WCF in Public Road Right-of-Way. ~~The following standards are specific to the installation of WCF on street lights in public road rights of ways, including street lights on power poles, traffic signal lights, and high voltage power utility poles, and are in addition to the other development standards specified in this section of the Code:~~**

The following standards are specific to the installation of New or Collocation of WCF within the right-of-way and are in addition to the other applicable development standards specified in the Beaverton Development Code: [ORD 4365; October 2005]

- A. Installation of WCF on structures within the public road right-of-way shall not jeopardize the physical integrity or shorten the lifespan of these structures.
- B. Antennas shall be Stealth Design, interior mounted, flush-mounted or otherwise designed not exceed the existing diameter of the structure at the mounting point for the antennas. No mounted arm antennas are permitted.
- C. Antennas mounted on a structure shall not extend beyond the permitted height of the underlying zoning district.
- ~~D. Antennas, including any mounting devices, shall extend no more than ten (10) feet above the existing height of the structure.~~
- ~~E.D.~~ Antennas shall be painted to match the color of the structure.
- E. Noise Levels. Noise levels shall meet the numerical standards established by the State of Oregon Department of Environmental Quality, measured to property lines abutting or within 500 feet of Residential or Multiple Use zoning districts, as stated in Section 60.50.25.11 and 60.70.35.9.
- F. Vibration. No vibration discernible without instruments at the nearest property line, other than that caused by highway vehicles, trains and/or aircraft, shall be permitted.

- G. Odors. Emission of odorous gasses or matter as to be that is readily detectable at the nearest property line is prohibited. Measures and controls shall be taken that are intended to prevent offensive fumes and odor. Air quality shall also meet the standards established by the State of Oregon Department of Environmental Quality as stated in Section 60.50.25.12.
- ~~F.H.~~ Replacement of the existing structure, tower or pole may be authorized, provided that the replacement structure is intended to fully contains antennas and associated equipment, ~~and that the height of the replacement structure is no greater than ten (10) additional feet in height than the original structure and no higher than permitted under Sections 20.05.15, 20.10.15, 20.15.15 and 20.20.15.~~
- I. The maximum diameter of any new or replacement tower or pole shall be 24-inches.
- J. Attachments to historic or ornamental streetlight poles shall not permitted.
- K. Attachments to traffic signal poles shall not be permitted.
- ~~G.L.~~ Equipment cabinets shall be placed completely within underground vaults. No at-grade or pole-mounted equipment cabinet, equipment in the public right-of-way, or on any equipment on private property (above or below grade) abutting the structure is permitted. The mounting of equipment to the structures shall conform to the following:
1. The smallest antennas, equipment, and equipment cabinets to satisfy engineering requirements and service objectives shall be utilized.
 - ~~2. All cabling, mounting hardware, and equipment shall be painted to match the color of the structure.~~
 2. All cabling and wiring shall be placed completely underground or on the in interior of the structure, tower or pole~~;~~.
 3. Mounting hardware~~;~~ and accessory equipment shall be painted to match the color of the structure, tower or pole.

[ORD 4596; February 2013]

60.70.40. Development Standards for Satellite Antennas. The following development standards shall apply to all satellite antennas in all zoning districts, except for satellite antennas and direct-to-home satellite services exempted by Section 60.70.20.1.F.-.G.:

1. New satellite antennas shall be mounted on the ground or on building roofs only.
2. New satellite antennas shall not be mounted on lattice towers or guyed tower support structures.
3. New ground-mounted satellite antennas shall be screened from view from abutting properties, or public right-of-way, or both in a manner that does not detract from the function of the antennas. Screening shall be done through one of more methods listed in Sections 60.70.35.5-7 on all directions, except for the direction that the antenna is oriented for sending, receiving, or both. The decision-making authority shall determine the appropriate type and height of screening based on the area proposed for development, the nature of the surrounding development, and the proximity of the development area to this surrounding development. [ORD 4596; February 2013]
4. New building roof-mounted satellite antennas shall be screened from view from abutting properties, or public right-of-way, or both in a manner that does not detract from the function of the antennas. Screening shall be done through the placement of the antennas behind parapet walls or other permanent architectural features.
5. Satellite antennas mounted on building roofs shall not extend beyond the maximum height for buildings of the underlying zoning district or, in the case of existing buildings which are non-conforming in height, shall not extend beyond the existing height of the building. The satellite antenna height shall be measured from the height of the building roofline. [ORD 4596; February 2013]

60.70.45. Requirements for Non-Exempt Amateur Radio Facilities.

1. Non-exempt amateur radio facilities may not be erected until a valid building permit has been obtained from the City of Beaverton.
2. Notwithstanding Chapter 30 of the Development Code, the following rules apply to non-exempt amateur radio facilities in existence on or before May 8, 2003:

- A. Facilities constructed before May 8, 2003 under building permits validly issued on the date of construction are not subject to these regulations.
- B. Exempt facilities that are proposed to be modified to become a non-exempt facility, shall acquire a new building permit from the City.
- C. Facilities without permits from the City of Beaverton, Washington County, or Multnomah County shall acquire a building permit from the City.

60.70.50. Required Studies and Information. The following requirements for studies and information shall be provided in addition to the submittal requirements specified in the application checklist to be provided by the Director:

- 1. For new WCF towers or poles, the following information is required to be submitted at time of application:
 - A. A visual impact report prepared by a licensed engineer or licensed architect shall be submitted. For purposes of this section of the Code, the extent of the adjacent area to be analyzed in this report shall be determined by the Director at the time of pre-application based on the type of tower proposed and the nature of the surrounding development. The visual impact report shall be comprised of:
 - 1. A written summary of the findings of the visual impact analysis.
 - 2. A to-scale (engineer scale measurement) vicinity map identifying in plan-view the location of the proposed WCF tower.
 - 3. A to-scale (engineer scale measurement) aerial plan showing in plan view the location of the proposed WCF tower and the location and type of adjacent development.
 - 4. A to-scale (engineer scale measurement) elevation drawing indicating the height, dimensions, type, design, materials and color of the tower and any on-ground associated equipment.

5. A visual graphic (photo) simulation of the proposed WCF tower from northern, southern, western and eastern orientations, inclusive of adjacent buildings, structures, natural features and public or private streets.
 6. Recommended methods to mitigate the visual impacts of the proposed WCF tower on adjacent properties.
- B. For a new WCF tower, a coverage analysis report prepared by an Oregon licensed professional engineer with demonstrated experience in the preparation of coverage analysis reports specifying the search ring within which service is proposed inclusive of the location, height and frequency of existing and approved WCF, and addressing the quality of existing wireless service and new wireless service within the search ring.
 - C. All WCF applications abutting or within Residential, or Multiple Use zoning districts proposing exterior at-grade equipment shelters shall be accompanied by the equipment manufacturer's written noise specifications if these specifications are proposed to be followed. [ORD 4397; August 2006]
 - D. Copy of the license application or received license from the Federal Communications Commission (FCC) or documentation that a license is not required. A copy of an approved license, or evidence of exemption shall be provided to the Planning Division prior to the issuance of a building permit.
 - E. Copy of the permit application or received permit from the Federal Aeronautics Administration (FAA), if applicable. A copy of an approved permit shall be provided to the ~~Community Development Department~~ Planning Division prior to the issuance of a building permit.
 - F. Copy of written authorization from the Oregon Department of Aviation, if applicable. ~~A copy of the written authorization, if applicable, shall be provided to the Community Development Department prior to the issuance of a building permit.~~
 - G. Copies of all environmental reports and assessments required to be submitted to the FCC or FAA for proposed WCF shall be provided to the City at their time of filing with these agencies. It is the applicant's responsibility to conform to all requirements of

these agencies resulting from the submittal of the environmental assessments.

- H. Copy of an approved and signed City of Beaverton franchise/utility license.
- I. Noise Study: Provide a noise study prepared by a licensed Oregon acoustical engineer in accordance with Section 60.50.25.11.
- J. For all WCF located within the right-of-way proposed to replace a street light pole, provide plans for LED street lights. (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director).
- K. For all City owned poles within the right-of-way any studies requested by the Public Works Director required to ensure the safety and integrity of city owned and maintained property, including but not limited to structural calculations.
- L. New poles located within 10-feet of a roadway without a curb and gutter shall include a vehicle impact study and protective devices such as bollards.
- M. For all WCF located within the right-of-way, signed approval from the Public Works Director.

60.70.55. Temporary Uses.

- 1. The Director may authorize a temporary WCF inclusive of needed equipment shelters and on-site improvements to facilitate continuity in service during the initial construction, repair, maintenance and/or replacement of permanent equipment. Temporary WCF shall be authorized through temporary use permit provisions specified in Chapter 40 (Applications). The authorization of temporary WCF shall be subject to the following criteria:
 - A. A temporary WCF facility shall be permitted to operate a maximum of ninety (90) days from the date of temporary permit authorization.
 - B. At the discretion of the Director a time extension not to exceed a maximum of ninety (90) days may be granted to facilitate

continuity in service provided that a written request letter is submitted a minimum of thirty (30) calendar days prior to the expiration of the initial temporary use authorization.

- C. The written request letter shall be submitted by an authorized representative of the service provider, shall specify the amount of the additional time request and shall explain the reason(s) for the additional time request.
- D. Failure to submit the additional temporary use authorization request within the specified timeframe stated herein may result in a denial of the additional temporary use timeframe request.
- E. All temporary WCF facilities shall be removed a maximum of fourteen (14) calendar days from the expiration of the initial or extended temporary use authorization.

60.70.60. Collocation Protocol.

1. Purpose. The purpose of this requirement is to create a process that will allow providers to equitably share publicly available, non-proprietary information among themselves, with interested persons and agencies, and with the City. This collocation protocol is designed to increase the likelihood that all reasonable opportunities for collocation of wireless communication antennas on existing towers have been investigated and the appropriate information has been shared among providers. The City recognizes that collocation is preferable, where technologically feasible and visually desirable, as a matter of public policy, but that collocation is not always feasible for technical or business reasons. However, if all licensed providers are made aware of any pending tower or antenna permit requests, such disclosure will allow providers to have the maximum amount of time to consider possible collocation opportunities, and will also assure the City that all reasonable accommodations for collocation have been investigated. The Code creates strong incentives for collocation because proposals for collocation qualify for a less rigorous approval process in almost all zones within the City.
2. Applicability. Requirements for the collocation protocol apply only to new WCF towers constructed after May 8, 2003.
3. The applicant shall show proof satisfactory to the City that it has made reasonable inquiries at potential sites for collocation that would otherwise meet the applicant's need for signal coverage.

60.70.65. Abandoned Facilities.

1. Criteria for Removal of Abandoned WCF Facilities. Abandoned wireless communication facilities inclusive of antennas and at-grade equipment shelters that are not operated for a continuous period of six (6) months shall be removed by the owner of the property on which the WCF is located or by the owner or lessee of the WCF within a maximum of ninety (90) day from the date of a written notice letter from the City. Failure to remove abandoned WCF within this timeframe is hereby declared a nuisance, and shall be subject to abatement under the provisions of local or state law.
2. Multiple WCF Providers. If there are two or more WCF providers collocated on an abandoned tower, Section 60.70.65.A. shall not become effective until all providers cease using the WCF for a continuous period of six (6) months.
3. Time Extension. Prior to the expiration of the ninety (90) day period stated in Section 60.70.65.A., the property owner and/or the WCF owner may request a temporary use permit for an additional ninety (90) day extension to provide time to find another user.